PTO-1390 (Rev. 07-2005) Approved for use through 3/31/2004, OMB 0651,0021 rate and of the state of the stat

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| Under the Paperwork Reduction Act of 1995,   | no persons are required to respond to a collect                                      | Approved for use through 3/31/2004, OMB 0651.0021<br>Manual rabehark office of S. DEPARIMENT OF OMMERCE<br>TON OMB COUNTY OF THE COUNT |  |  |  |  |  |  |
|--|--|--|--|--|--|--|--|--|
| TRANSMITTAL LETTER TO 1 DESIGNATED/ELECTED OFF   | ATTORNEY DOCKET NUMBER PA1766  |  |  |  |  |  |  |  |
| CONCERNING A SUBMISSIO   | ON UNDER 35 U.S.C. 371   | U.S. APPLICATION NO. (IF KNOW, SEE 37 CFR 1.5)   |  |  |  |  |  |  |
| INTERNATIONAL APPLICATION NO.  | PRIORITY DATE CLAIMED  |  |  |  |  |  |  |  |
| PCT/US2004/019829  | 21 June 2004   | 20 June 2003   |  |  |  |  |  |  |
| TITLE OF INVENTION   |  |  |  |  |  |  |  |  |
| DEVICE, SYSTEM, AND METHOD FOR COM   | ITRACTING TISSUE IN A MAMMALIAN BO   | YDDY   |  |  |  |  |  |  |
| APPLICANT(S) FOR DO/EO/US  |  |  |  |  |  |  |  |  |
| BLOOM, Eliot et al.  |  |  |  |  |  |  |  |  |
| Applicant herewith submits to the United State   | es Designated/Elected Office (DO/EO/US) the  | e following items and other information:   |  |  |  |  |  |  |
| 1.   This is a FIRST submission of items of  | concerning a submission under 35 U.S.C. 37   | 1.   |  |  |  |  |  |  |
| 2. This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.   |  |  |  |  |  |  |  |  |
| 3.  This is an express request to begin na   | ational examination procedures (35 U.S.C. 37   | 71(f)).  |  |  |  |  |  |  |
| The submission must include items (5), (6), (9) and (21) indicated below.  |  |  |  |  |  |  |  |  |
| 4. X The US has been elected (Article 31).   |  |  |  |  |  |  |  |  |
| 5. A copy of the International Application as filed (35 U.S.C. 371(3)(2)).   |  |  |  |  |  |  |  |  |
|  | o (required only if communication by the Inter                                       | mational Bureau).  |  |  |  |  |  |  |
|  | nicated by the International Bureau.   |  |  |  |  |  |  |  |
|  | s the application was filed in the United State                                      | •  |  |  |  |  |  |  |
| 6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).  |  |  |  |  |  |  |  |  |
| <u>=</u>   | a is attached hereto.  |  |  |  |  |  |  |  |
|  | b. As been previously submitted under 35 U.S.C. 154(d)(4).                           |  |  |  |  |  |  |  |
| <u>_</u>   | rnational Application under PCT Article 19 (3  |  |  |  |  |  |  |  |
|  | a. are attached hereto (required only if communication by the International Bureau). |  |  |  |  |  |  |  |
|  | unication by the International Bureau.   | annual description of the NOT combined   |  |  |  |  |  |  |
|  | ade; however, the time limit for making such   | amendments has NOT expired.  |  |  |  |  |  |  |
| d. May have not been made and will not be made.  |  |  |  |  |  |  |  |  |
| 8. An earth or declaration of the inventor(s) (35 U.S.C. 371 (c)(3)).  |  |  |  |  |  |  |  |  |
| <ul> <li>9.  An oath or declaration of the inventor(s) (35 U.S.C. (c)(4)).</li> <li>10.  An English language translation of the annexes of the International Preliminary Examination Report</li> </ul> |  |  |  |  |  |  |  |  |
| under PCT Article 36 (35 U.S.C. 37   | -  | xamination report  |  |  |  |  |  |  |
| Items 11 to 20 below concern document(s)   | or information included:   |  |  |  |  |  |  |  |
| 11. An Information Disclosure Statemen   | t under 37 CFR 1.97 and 1.98   | •  |  |  |  |  |  |  |
| 12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.  |  |  |  |  |  |  |  |  |
| 3. A preliminary amendment.  |  |  |  |  |  |  |  |  |
| 14. An Application Data Sheet under 37 CFR 1.76.   |  |  |  |  |  |  |  |  |
| 15. A substitute specification.  |  |  |  |  |  |  |  |  |
| 16. A power of attorney and/or change of address letter.   |  |  |  |  |  |  |  |  |
| 17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1825.  |  |  |  |  |  |  |  |  |
| 18. A second copy of the published International Application under 35 U.S.C. 154(d)(4).  |  |  |  |  |  |  |  |  |
| 19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).  |  |  |  |  |  |  |  |  |
| 20.  Other items or information: Return Postcard   |  |  |  |  |  |  |  |  |

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public which is to file (any by the USPTO to process an application). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

## IAP9 ROC'S PCT/PTO 15 DEC 2005

| Under the Pan  | erwork Redu | ction Act of 1995, po | U.   | S. Patent and Trades   | nark Office: U.S. DEF           | PTO-1390 (Rev. 02-2005)<br>h 3/31/2004, OMB 0651.0021<br>PARTMENT OF COMMERCE |  |
|--|-------------|-----------------------|--|------------------------|---------------------------------|---|--|
| Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of informations.  U.S. APPLICATION NO. (if known, see 37 GFR 1.5) INTERNATIONAL APPLICATION NO. PCT/US2004/019829  |             |                       |  |                        | ATTORNEY'S DOCKET NUMBER PA1766 |   |  |
| The following fees have been submitted 21.  Basic national fee(37 CFR 1.492(a))  |             |                       |  |                        | \$300.00                        | PTO USE ONLY  |  |
| 22. Sexamination fee (37 CFR 1.492(c))  If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)\$0  All other situations  |             |                       |  |                        | \$200.00                        |   |  |
| 23. Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33 (1)-(4)  |             |                       |  |                        | \$100.00                        |   |  |
| TOTAL OF 21, 2   |             |                       |  |                        | \$600.00                        |   |  |
| Additional fee for specification and drawings filed in a paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821© or 9e) or computer program listing in an electronic medium0(37 CFR 1.492(j))  The fee is \$250 for each additional 50 sheets of paper or fraction thereof.   |             |                       |  |                        |                                 |   |  |
| Total Sheets   | Extra She   | thereof (rou          | each additional 50 or fraction<br>nd up to a whole number) | RATE                   | \$                              |   |  |
| 30 -100 =  | 00 /50 =    | 0                     |  | X \$250                | \$0.00                          |   |  |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h))  |             |                       |  |                        | \$                              |   |  |
| CLAIMS   | NL          | MBER FILED            | NUMBER EXTRA   | RATE                   | \$                              |   |  |
| Total claims   | 24          | -20 =                 | 4  | x \$50                 | \$200.00                        |   |  |
| Independent clair  | ns 2        | 3 =                   | 0  | × \$200                | \$0.00                          |   |  |
| MULTIPLE DEPE  | NDENT CL    | AIM(S) (if applicable | e)   | x \$360                | \$                              |   |  |
| TOTAL OF ABOVE CALCULATIONS ≃  |             |                       |  |                        | \$200.00                        |   |  |
| Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.  |             |                       |  |                        | \$                              |   |  |
| SUBTOTAL =   |             |                       |  |                        | \$800.00                        |   |  |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority data (37 CFR 1.492(i)).  |             |                       |  |                        | \$                              |   |  |
|  |             |                       | TOTAL  | NATIONAL FEE =         | \$800.00                        |   |  |
| Fees for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property  |             |                       |  |                        | \$                              |   |  |
| TOTAL FEES ENCLOSED  |             |                       |  |                        | \$800.00                        |   |  |
|  |             |                       |  | Amount to be refunded: | \$                              |   |  |
|  |             |                       |  |                        | Amount to be charged:           | \$800.00  |  |
| a. ☐ A check in the amount of \$ to cover the above fees is enclosed b. ☐ Please charge my Deposit Account No. 01-2525 in the amount of \$800,00 to cover the above fees. c. ☐ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 01-2525. A duplicate copy of this sheet is enclosed. d. ☐ Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. |             |                       |  |                        |                                 |   |  |
| NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.  SEND ALL CORRESPONDENCE TO:  Customer Number: 28390  SIGNATURE   |             |                       |  |                        |                                 |   |  |
|  |             |                       |  |                        | William L. Haynes               |   |  |
| 1  |             |                       |  |                        | IAME                            |   |  |
| Santa Rosa, California 95403   |             |                       |  | 48.151                 |                                 |   |  |
| REGISTRATION NUMBER  |             |                       |  |                        |                                 |   |  |

FORM PTO-1390 (REV. 02-2005)

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